

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

MATTHEW PHILLIPS,	:	
	:	
PLAINTIFF	:	
	:	NO.:3:16-CV-1662
V.	:	
	:	HON. MALACHY MANNION
GENESIS TRUCKS INC.	:	
AND CORDARELL RODGERS	:	
	:	
DEFENDANTS	:	JURY TRIAL DEMANDED

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**DEFENDANTS' PRE TRIAL MEMORANDUM**

A. Statement of Jurisdiction:

The Court holds diversity jurisdiction in this matter.

B. Summary of Facts:

The case involves a motor vehicle accident which occurred on Interstate 81 in Pine Grove, PA on February 19, 2014.

C. Statement of Undisputed Facts:

Defendants have stipulated to duty and breach of duty. The issues for the jury are causation and damages.

D. Description of Damages:

See Plaintiff's Memorandum.

E. Witnesses:

Dr. Walter Peppelman, orthopedic surgeon

Any witnesses identified by another party

Any custodian of records necessary

F. Summary of expert testimony:

Dr. Peppelman opines that Plaintiff suffered a sprain/strain injury with resolution within two months post accident.

G. Status of pleadings and discovery:

Both have been completed.

H. Summary of legal issues:

The issues are causation and damages.

I. Stipulations Desired:

The authenticity of records.

J. Estimated Trial Length:

2 days.

K. Any other matter pertinent to the case:

In his pre trial memorandum, Plaintiff discloses damage witnesses who were not identified in discovery or identified via disclosures. Defendants reserve the right to depose these individuals pre trial if they will be called as fact witnesses.

L. Exhibits:

See attached list.

M. Special Verdict Questions:

The verdict slip will inquire as to causation and damages.

N. Person with settlement authority has been notified:

Defendants certify that this has been completed pursuant to Rule 16.2.

**THE CHARTWELL LAW OFFICES, LLP**

By: /s/ E. Patrick Heffron

E. Patrick Heffron, Esquire

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Attorney for Defendant

**CERTIFICATE OF SERVICE**

I, E. Patrick Heffron, Esquire, attorney for the Defendants hereby certify that I have this 20th day of November 2017, served a true and correct copy of the foregoing, *Defendant's Pre-Trial Memorandum* via Electronic Mail upon the following individual(s):

Jefferson J. Shipman, Esquire  
Smigel, Anderson & Sacks, LLP  
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**THE CHARTWELL LAW OFFICES, LLP**

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